

APR 21 2014

JULIA C. [Signature], CLERK
BY: [Signature]
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ROGER L. HORTON,
Petitioner,

v.

CLARKE,
Respondent.

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Civil Action No. 7:14-cv-00129

ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the written Memorandum Opinion entered this day, it is hereby

ORDERED

that the petition for writ of habeas corpus, pursuant to 28 U.S.C. §2254, is **DISMISSED without prejudice** as unexhausted; a certificate of appealability is **DENIED**; all pending motions are **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this Order and the accompanying Memorandum Opinion to Petitioner.

ENTER: This 19th day of April, 2014.

[Signature]
Senior United States District Judge